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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,989	07/03/2003	Hideo Uwagaki	1247-0517P	3414
2292	7590	11/17/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			MORRISON, THOMAS A	
			ART UNIT	PAPER NUMBER

3653

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/611,989

Applicant(s)

UWAGAKI ET AL.

Examiner

Thomas A. Morrison

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,000,689 (Furuki et al.). In particular, the Furuki et al. patent discloses all of the limitations of claims 1-3.

Regarding claim 1, Figs. 1-4 and 11-13 show a sheet feeding apparatus including

a rotatable feeding means (3) for feeding a sheet by rotation thereof;

supporting means (including unnumbered paper tray in Fig. 4), having a supporting portion (unnumbered paper tray in Fig. 4) movable toward and away from the rotatable feeding means (3), for supporting a plurality of stacked sheets (1) from a side opposite from the rotatable feeding means (3), and for elastically causing one sheet closest to the rotatable feeding means (3) to contact the rotatable feeding means (3);

separating means (including 4, 7 and 11), having an abutting portion (surface of 4) movable toward and away from the rotatable feeding means (3), for elastically

holding the sheets (1) between the abutting portion (surface of 4) and the rotatable feeding means (3), and for separating the sheets so as to allow only the one sheet closest to the rotatable feeding means (3) to be fed out with the rotation of the rotatable feeding means (3), the separating means (including 4, 7 and 11) being disposed downstream of the supporting means (including unnumbered paper tray in Fig. 4) in a sheet feeding direction;

sheet separating means (including 6) for displacing remaining sheets in a direction away from the rotatable feeding means (3) when the one sheet has been advanced to a target position reaching sheet transporting means (22 in Fig. 12) disposed downstream in the sheet feeding direction;

abutting portion separating means (8) for moving the abutting portion (surface of 4) in a direction away from the rotatable feeding means (3) so as to release the holding of the sheets between the abutting portion (surface of 4) and the abutting portion and the rotatable feeding means (3) when the one sheet has reached the target position; and

limiting means (20a in Fig. 13) for preventing the remaining sheets, excluding the one sheet, from moving downstream in the sheet feeding direction when the one sheet has reached the target position,

wherein the sheet separating means (including 6) and the limiting means (20a in Fig. 13) are integrally disposed.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,217,017 (Yamazaki). In particular, the Yamazaki patent discloses all of the limitations of claims 1-3.

Regarding claim 1, Figs. 1-11 show a sheet feeding apparatus including rotatable feeding means (20) for feeding a sheet by rotation thereof; supporting means (including 17 and 18), having a supporting portion (17) movable toward and away from the rotatable feeding means (20), for supporting a plurality of stacked sheets (11) from a side opposite from the rotatable feeding means (20), and for elastically causing one sheet closest to the rotatable feeding means (20) to contact the rotatable feeding means (20);

separating means (25), having an abutting portion (22) movable toward and away from the rotatable feeding means (20), for elastically holding the sheets between the abutting portion (22) and the rotatable feeding means (20), and for separating the sheets so as to allow only the one sheet closest to the rotatable feeding means (20) to be fed out with the rotation of the rotatable feeding means (20), the separating means (25) being disposed downstream of the supporting means (including 17 and 18) in a sheet feeding direction;

sheet separating means (including 19a, 17a, 19 and 36 in Figs. 2a and 10) for displacing remaining sheets in a direction away from the rotatable feeding means (20) when the one sheet has been advanced to a target position reaching sheet transporting means (37) disposed downstream in the sheet feeding direction;

abutting portion separating means (including 27, 29, 34 and 82 in Figs. 8-10) for moving the abutting portion (22) in a direction away from the rotatable feeding means (20) so as to release the holding of the sheets between the abutting portion (22) and the rotatable feeding means (20) when the one sheet has reached the target position; and

limiting means (28) for preventing the remaining sheets, excluding the one sheet, from moving downstream in the sheet feeding direction when the one sheet has reached the target position,

wherein the sheet separating means (including 19a, 17a, 19 and 36 in Figs. 2a and 10) and the limiting means (28) are integrally disposed.

Regarding claim 2, Figs 2A-3 and 10 show that the sheet separating means (including 19a, 17a, 19 and 36 in Figs. 2a and 10) is provided adjacent to the rotatable feeding means (20), and displaces the sheets near the rotatable feeding means (20) by pressing the sheets from a side adjacent to the rotatable feeding means (20). The dictionary defines the term "adjacent" as "1a: not distant ; NEARBY". See Merriam Webster's Collegiate Dictionary, 10th Ed, at page 14. It is the examiner's position that the sheet separating means (including 19a, 17a, 19 and 36 in Figs. 2a and 10) is located **nearby** or **not distant** from (adjacent) the rotatable feeding means (20). Also, the sheet separating means (including 19a, 17a, 19 and 36 in Figs. 2a and 10) displaces the sheets near the rotatable feeding means (20) by pressing the sheets from a side **nearby** or **not distant** from (adjacent) the rotatable feeding means (20). More

specifically, this mechanism presses the sheets in a downward direction from a side nearby rotatable feeding means (20).

Regarding claim 3, Fig. 7 shows that the limiting means (28) aligns leading edges of leftover sheets which are the sheets fed to the separating means from the remaining sheets by the rotatable feeding means (20) and separated from the one sheet by the separating means (20).

Response to Arguments

3. Applicant's arguments filed August 19, 2005 have been fully considered but they are not persuasive. Applicant basically argues that claim 1 has been amended to provide that the sheet separating means and the limiting means are integrally disposed. Applicant argues that in Furuki, the sheet separating means and the limiting means of the sheet feeding apparatus are not integrally disposed but are separate from each other. Similarly, applicant argues that such feature is not shown either specifically or inherently in Yamazaki.

In response, it is noted that the term "integrally disposed" can be interpreted very broadly. The dictionary defines the term "integral" as "1a: essential to completeness". See Merriam Webster's Collegiate Dictionary, 10th Ed, at page 607. It is the examiner's position that the sheet separating means (including 6) and the limiting means (20a in Fig. 13) of the Furuki patent are both essential to the completeness of the Furuki apparatus, and both are disposed on this apparatus. Thus, the sheet separating means and the limiting means of Furuki are integrally disposed, as claimed.

Similarly, it is the examiner's position that the sheet separating means (including 19a, 17a, 19 and 36 in Figs. 2a and 10) and the limiting means (28) of the Yamazaki patent are both essential to the completeness of the Yamazaki apparatus, and both are disposed on such apparatus. As such, the sheet separating means and the limiting means of Yamazaki are also integrally disposed, as claimed.

Applicant's arguments with regard to the Furuki et al. patent, see page 8 of applicant's amendment, filed August 19, 2005, for claims 2 and 3 have been fully considered and are persuasive. The rejections of claims 2 and 3 in view of Furuki et al. have been withdrawn.

Allowable Subject Matter

4. Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (571) 272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).


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